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***IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION***

CRIMINAL WRIT PETITION NO.4825 OF 2018

M/s. N.K.Proteins Private Limited
(Formerly known as N.K.Proteins Limited) and Anr. ...Petitioners
Versus
State of Maharashtra and Ors. ...Respondents

***WITH
CRIMINAL APPLICATION NO.487 OF 2018
(INTERVENTION)
IN
CRIMINAL WRIT PETITION NO.4825 OF 2018***

Pankaj Ramnaresh Saraf ...Intervener

IN THE MATTER BETWEEN

M/s. N.K.Proteins Private Limited
(Formerly known as N.K.Proteins Limited) and Anr. ...Petitioners
Versus
State of Maharashtra and Anr. ...Respondents

Mr.Vishal Maheshwari a/w Mr.Raheel Patel, i/b V.M.Legal, for the
Petitioners.

Ms.Rebecca Gonsalves, Special P.P. for the Respondent – State.

Mr.S.R.Karnik for the Intervener in Criminal Application No.487 of 2018.

Ms.A.S.Pai, A.P.P. for the Respondent – State.

***CORAM : B.P. DHARMADHIKARI &
REVATI MOHITE DERE, JJ.***

DATE : 28th JANUARY, 2019

P.C. :

1. Heard respective counsel.
2. Perused order dated 30th October, 2018 and additional affidavit filed by Petitioners today in Court.
3. The Petitioners now seek permission to operate other three bank accounts mentioned in paragraph 4 of order of this Court dated 30th October, 2018.
4. By that order, Petitioners are already permitted to operate Bank Account at Serial No.1, subject to certain riders.
5. Learned Counsel for the Petitioners submits that similar conditions can be imposed in relation to other three bank accounts and to facilitate smooth conduct of business other bank accounts should also be

allowed to be used.

6. Learned Counsel for the State Government strongly opposes any intervention. She points out that normal procedure envisaged by M.P.I.D. Act should be followed in the present matter. Though the trial Court is proceeding with consideration under Section 7(1), Petitioners have not filed any reply there. Without prejudice, she invited our attention to Section 10 thereof, to urge that appropriate orders can also be obtained under that provision.

7. Our attention is also invited to an order dated 17th December, 2018 in Writ Petition No.4371 of 2018 and Writ Petition No.4771 of 2018 to submit that there because of availability of statutory remedies, this Court had not intervene in extraordinary jurisdiction.

8. A perusal of order dated 30th October, 2018, passed by this Court shows that in paragraph 7, the Petitioners had made a statement that they should be allowed to operate one bank account and that they will not touch the balance amount in any of the other bank accounts. Accepting that

statement, Court had proceeded further and granted Petitioners permission to operate bank account with Yes Bank, Ahmedabad, subject to certain conditions.

9. In this situation, present prayers are misconceived. Not only this, the orders of attachment need to be made absolute by the trial Court and even at said stage the Petitioners can raise necessary contentions. Hence, with liberty to the Petitioners to approach the trial Court in this respect, we reject the present Petition.

10. Criminal Application for Intervention also stands disposed of.

REVATI MOHITE DERE, J.

B.P. DHARMADHIKARI, J.